

SENATE BILL NO. 207

INTRODUCED BY B. KEENAN, WATERMAN

A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING THE REQUIREMENT THAT THE FORMER FORENSIC UNIT AT WARM SPRINGS BE A STATE CORRECTIONAL FACILITY; CLARIFYING THE PURPOSE FOR WHICH IT MAY BE USED; AMENDING SECTION 53-1-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-1-202, MCA, is amended to read:

"53-1-202. (Temporary) Department of corrections. (1) Adult and youth correctional services are included in the department of corrections to carry out the purposes of the department.

(2) Adult corrections services consist of the following correctional facilities or programs:

(a) the prisons listed in 53-30-101;

(b) appropriate community-based programs for the placement, supervision, and rehabilitation of adult felons who meet the criteria developed by the department for placement:

(i) in prerelease centers;

(ii) under intensive supervision;

(iii) under parole or probation pursuant to Title 46, chapter 23, part 2; or

(iv) in other appropriate programs; and

(c) the boot camp authorized by 53-30-403.

(3) Youth correctional services consist of the following correctional facilities or programs to provide for custody, supervision, training, education, and rehabilitation of delinquent youth and youth in need of intervention pursuant to Title 52, chapter 5:

(a) Pine Hills youth correctional facility or other state youth correctional facility; and

(b) any other facility or program that provides custody and services for delinquent youth.

(4) A state institution or facility may not be moved, discontinued, or abandoned without the consent of the legislature.

53-1-202. (Effective on occurrence of contingency) Department of corrections. (1) Adult and

1 youth correctional services are included in the department of corrections to carry out the purposes of the
2 department.

3 (2) Adult corrections services consist of the following correctional facilities or programs:

4 (a) the prisons listed in 53-30-101;

5 (b) appropriate community-based programs for the placement, supervision, and rehabilitation of
6 adult felons who meet the criteria developed by the department for placement:

7 (i) in prerelease centers;

8 (ii) under intensive supervision;

9 (iii) under parole or probation pursuant to Title 46, chapter 23, part 2; or

10 (iv) in other appropriate programs; and

11 (c) the boot camp authorized by 53-30-403; ~~and~~

12 ~~—— (d) the forensic unit at Warm Springs.~~

13 (3) Youth correctional services consist of the following correctional facilities or programs to
14 provide for custody, supervision, training, education, and rehabilitation of delinquent youth and youth in
15 need of intervention pursuant to Title 52, chapter 5:

16 (a) Pine Hills youth correctional facility or other state youth correctional facility; and

17 (b) any other facility or program that provides custody and services for delinquent youth.

18 (4) A state institution or correctional facility may not be moved, discontinued, or abandoned
19 without the consent of the legislature."

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21 NEW SECTION. SECTION 2. ALLOWED PURPOSE. THE FORMER FORENSIC UNIT AT WARM SPRINGS IS THE
22 PROPERTY OF THE DEPARTMENT OF CORRECTIONS, AND THE BUILDING MAY BE USED ONLY ONLY FOR TREATMENT OF
23 INMATES WITH CHEMICAL DEPENDENCY OR OTHER MENTAL OR PHYSICAL HEALTH-RELATED PROBLEMS.

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25 NEW SECTION. SECTION 3. CODIFICATION INSTRUCTION. [SECTION 2] IS INTENDED TO BE CODIFIED AS AN
26 INTEGRAL PART OF TITLE 53, CHAPTER 1, PART 2, AND THE PROVISIONS OF TITLE 53, CHAPTER 1, PART 2, APPLY TO
27 [SECTION 2].

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29 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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